

UNITED STATES DISTRICT COURT

Northern District of California

Welch,

08-02132 PVT

Plaintiff(s),

**NOTICE RE: NONCOMPLIANCE
WITH COURT ORDER**

v.

City of San Jose,

Defendant(s).

The parties have failed to file an ADR Certification and either a Stipulation and [Proposed] Order Selecting an ADR Process or a Notice of Need for ADR Phone Conference as required by the Initial Case Management Scheduling Order. Counsel shall Meet and Confer forthwith in an attempt to agree on an ADR process for this matter. Thereafter, counsel, on behalf of themselves and each party, promptly shall file an **ADR Certification** and either 1) a **Stipulation and [Proposed] Order Selecting ADR Process**, or 2) a **Notice of Need for ADR Phone Conference** (Civil L.R. 16-8(b), ADR L. R. 3-5(b) Civil L.R. 16-8(c), ADR L. R. 3-5(c), (d)). (These forms are available at www.adr.cand.uscourts.gov.)

Further, in accordance with ADR L.R. 3-5(e) counsel shall concurrently provide a copy of all documents filed pursuant to this notice directly to the ADR Unit either by fax (415-522-4112), hand delivery (ADR Program, USDC, Northern District of California,

450 Golden Gate Avenue, 16th Floor, San Francisco, California), or by PDF attachment
to an e-mail directed to adr@cand.uscourts.gov.

It is the responsibility of counsel to schedule an ADR Phone Conference, if
required, to occur before the Case Management Conference.

Dated: August 21, 2008

RICHARD W. WIEKING
Clerk
by: Lisa M. Salvetti



ADR Administrative Assistant
415-522-2032
lisa_salvetti@cand.uscourts.gov

PROOF OF SERVICE

Case Name: Welch v. City of San Jose

Case Number: 08-02132 PVT

I declare that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California. I am over the age of eighteen (18) years and not a party to the action. My business address is:

ADR Program
United States District Court
Northern District of California
450 Golden Gate Avenue Floor 16
San Francisco, CA 94102

On August 21, 2008, I served a true and correct copy of:

Notice Re: Noncompliance With Court Order

[X] electronically, I caused said documents to be transmitted using ECF as specified by General Order No. 45 to the following parties:

Christopher Eugene Platten
Wylie McBride Jesinger Platten & Renner
2125 Canoas Garden Avenue Suite 120
San Jose, CA 95125
cplatten@wmjpr.com

Carol Lynn Koenig
Wylie McBride Jesinger Platten & Renner
2125 Canoas Garden Avenue Suite 120
San Jose, CA 95125
ckoenig@wmjpr.com

Robert R. Fabela
Office of the City Attorney
200 East Santa Clara Street
San Jose California 95113-1905
San Jose, Ca 95113-1905
CAO.Main@sanjoseca.gov

[] by Facsimile, I caused said documents to be transmitted to the following parties by fax machine:

[] by U. S. Mail, I placed a true copy in a sealed envelope with postage fully prepaid in the United States Post Office Mail Box in San Francisco, California, addressed as follows:

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on August 21, 2008 in San Francisco, California.

RICHARD W. WIEKING

Clerk

by: Lisa M. Salvetti

A handwritten signature in black ink, appearing to read "Lisa M. Salvetti", written in a cursive style.

ADR Administrative Assistant

415-522-2032

lisa_salvetti@cand.uscourts.gov